

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SEAN RAD, JONATHAN BADEEN, PAUL CAFARDO, GARETH JOHNSON, JAMES KIM, ALEXA MATEEN, JUSTIN MATEEN, JOSHUA METZ, RYAN OGLE, and ROSETTE PAMBAKIAN,

Plaintiffs,

v.

IAC/INTERACTIVECORP and MATCH GROUP, INC.,

Defendants.

Case No. 18 Civ. 7358

**[PROPOSED] ORDER**  
**WITHDRAWING REMOVAL AND**  
**REMANDING TO STATE COURT**

Upon receipt of additional information, Defendant Match Group, Inc. (“Match”) respectfully withdraws its notice of removal, Dkt. Nos. 1 and 4, and requests that the Court order that this action be remanded to the Supreme Court of the State of New York, New York County. In support of its request, Match states as follows:

1. Prior to filing its notice of removal, Match’s counsel inquired of defendant IAC/InterActiveCorp (“IAC”) and of IAC’s registered agent, CT Corporation, and was advised that neither had any record of service of the complaint in this action on IAC.
2. IAC was subsequently informed at 3:02 PM on August 15, 2018 by CT Corporation that service had been made on August 14, 2018, prior to the time that Match filed its petition for removal.
3. In light of these newly-learned facts, Match is therefore promptly filing this notice of withdrawal of its request for removal, and respectfully requests that the Court remand the action to the Supreme Court of the State of New York, New York County.

Dated: August 16, 2018

Respectfully Submitted,

**WACHTELL LIPTON ROSEN & KATZ**

/s/ Marc Wolinsky

Marc Wolinsky  
Stephen R. DiPrima  
Aneil Kovvali  
Nathaniel D. Cullerton  
Jonathan Siegel  
Wachtell, Lipton, Rosen & Katz  
51 West 52nd Street  
New York, New York 10019  
Telephone: (212) 403-1000

*Attorneys for Match Group, Inc.*

**SO ORDERED:**

---

U.S.D.J.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 16th day of August, 2018, a true and correct copy of the foregoing notice was served via e-mail and U.S. mail, first-class, postage pre-paid, to the following counsel of record:

Orin Snyder  
Matthew Benjamin  
Laura Raposo  
Connor Sullivan  
Gibson, Dunn & Crutcher  
200 Park Avenue  
New York, NY 10166  
Telephone: (212) 351-4000  
OSnyder@gibsondunn.com  
MBenjamin@gibsondunn.com  
LRaposo@gibsondunn.com  
CSSullivan@gibsondunn.com

Christine Demana  
2100 McKinney Avenue  
Dallas, TX 75201  
Telephone: (214) 698-3100  
CDemana@gibsondunn.com

*Attorneys for Plaintiffs Sean Rad, Jonathan Badeen, Paul Cafardo, Gareth Johnson, James Kim, Alexa Mateen, Justin Mateen, Joshua Metz, Ryan Ogle, and Rosette Pambakian,*

/s/ Aneil Kovvali